

ARC-14661-2

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Bighun N. Khare and Meyya Meyyappan

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Filed: April 5, 2004

Group No.: 1762

NOV 29 2006

Serial No.: 10/828,524

Examiner: David P. Turocy

For: "Functionalization Of Carbon Nanotubes"

Mail Stop Petitions
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450
 Fax: (571) 273-8300

**PETITION FOR ACCEPTANCE OF UNINTENTIONALLY DELAYED CLAIM
 FOR THE BENEFIT OF PRIOR FILED NONPROVISIONAL APPLICATION
 [37 CFR 1.78(a)(3)]**

The time period for claiming the benefit of a prior filed nonprovisional application to the above-identified continuation-in-part application has lapsed. The time period for claiming the priority benefit is within the latter of four months from the actual filing date of the later-filed application or sixteen months from the filing date of the prior-filed nonprovisional application.

Prior Filed Nonprovisional Application No. 10/320,698

Filing Date December 13, 2002

**APPLICANT HEREBY PETITIONS FOR ACCEPTANCE OF A CLAIM FOR BENEFIT OF A
 PRIOR FILED NONPROVISIONAL APPLICATION TO THIS CONTINUATION-IN-PART
 APPLICATION**

A grantable petition requires the following items:

- (1) Petition Fee
- (2) Reference required by 37 CFR 1.78(a)(6)
- (3) Statement that the entire delay was unintentional.

1. Petition fee and payment

- Other than small entity – fee \$1370.00 (37 CFR 1.17(t))
- Please charge \$1370.00 to Deposit Account No. 14-0116. A duplicate of this paper is attached.
- Please charge any additional fees necessary to effect this petition and/or deposit any overpayment to Deposit Account No. 14-0116.

Request date: 05/16/2007 CKHLOK
 11/29/2006 RFEKADU1 00000017 140116 10828524
 01 FC:1454 1370.00 CR

11/30/2006 RFEKADU1 00000017 140116 10828524
 01 FC:1454 1370.00 CR

NOV 29 2006 20:14 FR CHIEF COUNSEL ARC 650 604 2767 TO 715712738300

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2. Reference required by 37 CFR 1.78(a)(5)

The following reference is submitted in an amendment along with this petition:

This application is a continuation-in-part of prior Application No. 10/320,698, filed December 13, 2002.

3. STATEMENT: The entire delay in claiming priority to the nonprovisional application from the filing date of the continuation-in-part application to the filing of a grantable petition under 37 CFR 1.78(a)(6) was unintentional.

John F. Schipper
Signature

29 November 2006

Date

John F. Schipper
Typed or printed name

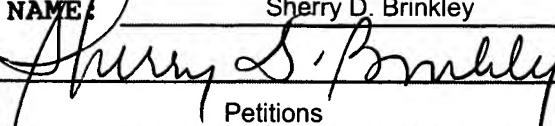
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REQUEST FOR PATENT FEE REFUND				
1 Date of Request:	05/11/07	2 Serial/Patent #	10/828,52	
3 Please refund the following fee(s):	4 PAPER NUMBER	5 DATE FILED	6 AMOUNT	
Filing			\$	
Amendment			\$	
Extension of Time			\$	
Notice of Appeal/Appeal			\$	
X Petition	wfee	11/29/06	\$ 1,370.00	
Issue			\$	
Cert of Correction/Terminal Disc.			\$	
Maintenance			\$	
Assignment			\$	
Other			\$	
7 TOTAL AMOUNT OF REFUND			\$ 1,370.00	
8 TO BE REFUNDED BY:				
Treasury Check				
Overpayment	X	Credit Deposit A/C #:		
X Duplicate Payment		9 1 4 -- 0 1 1 6		
No Fee Due (Explanation):				
11 REFUND REQUESTED BY:				
TYPED/PRINTED NAME:		Sherry D. Brinkley		TITLE: Petitions Examiner
SIGNATURE:				PHONE: 2-3204
OFFICE:		Petitions		
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APPROVED:		DATE: 5/16/07		

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:

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Crystal Park One, Room 802B